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19.47.

File No. charitable Endowments II

Letter DEPARTMENT 417

B. BRANCH

K

Subject

MR 29/5

Re-

Letter notifications

Treasurer of

Charitable Endowments,

IV

C O N T E N T S.

Legal Department File No. Charitable Endowments II/47

Sr. No.	Compilation No.	Subject	Pages.
		The Charitable Endowments Act, 1890	
1	D.O.No.8 -Confl. dated 28-2-47	Scrutiny of form of application	1-6

PS. 9/5 11/5

K.S.R. 11/5.

1. In view of the shortage of nurses for the hospitals of this province Her Excellency Lady Colville will be prepared to make grants from her discretionary fund to assist ex-members of the A.N.S.(I) who are domiciled in the Bombay Province and who would not otherwise be able to, to complete their training as nurses in hospitals in the Bombay Province.

2. These grants will not be made to raise the standard of remuneration of ex-A.N.S.(I) personnel above that of other nurses under training, but only where Her Excellency is satisfied that owing to responsibilities to dependents it would not be possible for the nurse to complete her training on the normal stipend. They will not normally be paid at a rate higher than Rs. 50/- per month.

3. In making these grants Her Excellency will be advised by a committee consisting of :-

(1) a nominee of the Chief Nursing Superintendent, Office of the D.G.,I.M.S.;

(2) a nominee of the Surgeon-General with the Government of Bombay (preferably a matron from one of the Bombay Hospitals);

(3) The Lady Divisional Superintendent, St. John Ambulance Brigade;

(4) a nominee of the Commissioner of Police, Bombay;

(5) a nominee of Her Excellency.

At any meeting three members shall constitute a quorum.

4. Applications for assistance shall be made in the attached form to be obtained from the Superintendent of Nursing Services, office of the S.N., Bombay, or the Lady Divisional Superintendent, St. John Ambulance Brigade, and shall be forwarded to the Assistant Secretary to the Governor of Bombay who will act as Secretary to the Committee until some other person is appointed. Applicants who are still in the service shall forward them through the Matron of their hospital. All applicants shall furnish the names of two referees who should have known them for over a period of five years.

The Chief Nursing Superintendent shall be requested to verify the statements as far as possible from the candidates' files in the office of the D.G., I.M.S.

5. With every application form the applicant shall send in a signed undertaking to repay to Her Excellency any sums of money received from her whose refund may in the opinion of the Committee and of Her Excellency properly be demanded under these rules, and this undertaking shall be gurante d by one responsible person.

6. On receipt of an application form the Committe may if it seems prima facie that the applicant deserves help forthwith recommend a provisional grant and refer the application form for verification of the particulars given by the applicant.

7. On verification of the particulars given by the applicant the Committee shall summon her for an interview and shall thereafter make a final recommendation that a grant should be made or refused.

8. If after making a recommendation for a provisional grant the Committee finally recommends that a grant should be refused or that a smaller grant should be made, the Committee shall also recommend that the whole of the money paid to the applicant or

the difference between the amou t actually paid and the amount that would have been paid at the rate finally recommended should be recovered if it appears that the provisional recommendation was made on a wilful misrepresentation in the application form. They may also recommend that such amount be recovered even if it does not appear that there was any wilful misrepresentation if circumstances warrant it.

9. If for any reason any person who has obtained a grant from Her Excellency for this purpose does not complete her training as a nurse, the Committee may recommend that any money paid out to her be recovered. It will not make such a recommendation if the failure to complete the training was genuinely due to ill-health or to other unavoidable difficulties.

PSM.9/5
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FORM OF APPLICATION.

I.....of.....who have been a member of the A.N.S.(I) (Registered No.....) from .....to.....declare that I wish to complete my training as a civilian nurse but that owing to my obligations to my dependents I am unable to on the present stipend paid to nurses under training. I therefore apply for a grant from Her Excellency Lady Colville's discretionary fund to enable me to do so.

Particulars:

1. Date of birth.
2. Married, unmarried, widowed or legally separated from husband?
3. If married, what is your husband's name?
4. Are your parants living?
5. If so, what is their income?
6. How many children have you and what are their ages?
7. What is the total income earned by your children?
8. How many of them are dependent on you?
9. Have you any other relatives who contribute to the support of yourself or of your family?
10. What is the minimum monthly grant that would be required to enable you to complete your training as a nurse?
11. Province of domicile.
12. Names of two referees who have known yo for at least 5 years.

I agree to enter the training school selected for me by the Superintendent of Nursing Services, Bombay.

I hereby declare that to the best of my knowledge and belief the above information is true.

Signed

Applicant.

Certificate to be signed by the Matron (if the applicant is in service.)

I.....Matron in .....hereby declare that I have no reason to believe any of the above information furnished by..... to be untrue and that I consider her a fit and proper person to be trained as a Nurse. (Any other remarks maybe added if desired).

Signed

Matron

Certificate of undertaking

Whereas I ..... have applied for a grant from Her Excellency Lady Colville to enable me to complete my training as a nurse, I hereby bind myself to repay to her the whole or any part of any money received from Her if I am required to do so in accordance with the rules framed by her for the administration of these grants.

Certificate to be signed by the surety

I, the undersigned, hereby agree that in the event of .....failing to fulfil the above agreement I undertake to refund to Her Excellency Lady Colville's Discretionary fund on her behalf all sums that shall be deemed to be due to Her Excellency Lady Colville's discretionary fund and that this under-

taking to refund shall continue so long as the undertaking and promises of the candidate or any portion thereof remains unperformed and this undertaking shall not be discharged by variation of terms of training or by any forbearance shown or xtime to pay granted to the said candidate nor shall it be necessary for Her Excellency Lady Colville's discretionary fund to sue the said candidate before suing me for amounts due under the said

Station. Signature of surety

Designation

Date and address.

Signature and address of witness.

PSM. 9/5

CONFIDENCIAL

D.O.No.86-Confl.
Legal Department.
Bombay Castle, 28th February 1947.

Dear Bagshawe,

Please refer to your D.O.Letter No. G.S.-607 dated 20th inst.

The draft Scheme for the administration of the grants proposed to be made by Her Excellency Lady Colville for training of certain nurses forwarded with your letter is in order, subject to the following remarks:-

Para. 5 of the draft Scheme:- In line 2 for the words "a signed undertaking" the words "a signed and stamped undertaking" may be substituted and in line 4 the word "properly" may be deleted.

Para.8:- For the last sentence the following may be substituted, namely:-

"Even if it does not appear that there was any wilful misrepresentation, the Committee may for any other reasons to be recorded recommend that any amount paid to the applicant be recovered".

Certificate of Undertaking:- The fund will be non-statutory. If the candidate fails to refund the money the recovery will have to be made by filing a regular civil suit in the name of Her Excellency. There may be some difficulties or complications after Her Excellency leaves. I would therefore, recommend that action may be taken under the Charitable Endowments Act, 1890 (VI of 18900. Her Excellency can make an application under section 6(1)(b), the proposed fund can be vested in the Treasurer of Charitable Endowments under section 4(1), and the present Scheme can be settled under section 5(1).

To avoid litigation as far as possible, the form of certificate of undertaking may be applified as follows,

"Certificate of Undertaki g.

Whereas I ----------have applied for a grant from Her Excellency Lady Colville to enable me to complete my training as a nurse, I hereby bind myself to repay to her the whole or any part of any money

received from her if I am required by her to do so in accordance with the rules framed by her for the administration of these grants.

I agree that the decision of Her Excellency asking me at any time to refund the whole or any part of any money received by me from the fund shall be final and binding on me.

Signed

Station,

Date, Applicant".

The undertaking is in the nature of a bond. If it is attested it will be chargeable under article 15 of Schedule I to the Indian Stamp Act, 1899 at the rate of Rs. 1-2 as for every Rs. 100. If it is not attested it will be governed by article 5(c) in the Schedule and the stamp duty payable will be only Rs. 1-8 as.

As attestation is not necessary the undertaking may not be attested by any witness. The words "Signature and address of witness" at the end of the certificate to be signed by the surety may be deleted. The certificate of undertaking may if necessary be taken after the grant is sanctioned. In that case consequentially changes in the wording of the Scheme and the form of certificate of undertaking will have to be made.

Yours Sincerely

Id/- K.M.C.
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L.E.Bagshawe, Esquire, I.C.S.,
Assistant Secretary to the Governor of Bombay,
Government House,
Bombay.

PSM. 9/5
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